

This is a copy of Response sent by Facsimile
to USPTO on Sunday August 31, 2008



FACSIMILE

FROM: Haviv TOLEDANO
C/o David Metzman
693 Downing Street
Teaneck, NJ 07666
e-mail : a.toledano@netcourrier.com

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Fax: (+) 1 571-273-8300

Total number of pages (including this one): 10

In case of missing or illegible pages, please inform Haviv Toledano by
e-mail to: a.toledano@netcourrier.com
or by telephone number (+) 33 1 42 02 07 23



IFW

SEP 08 2008 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haviv Toledano

Serial No.: 10/009,138

Filed: 26 November 2001

For: A Flexible Annular Stapler for
Closed Surgery of Hollow Organs

Group Art Unit: 3731

Examiner: Thomas McEvoy

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA. 22313-1450

RESPONSE

Sir:

This is in response to the United States Patent and Trademark Office action mailed June 12, 2008, which response is being made on or before September 12, 2008 and for which no extension fees are due. Applicant requests amendment of the above-identified application as follows to place it in condition for allowance.

a) **In the specification:**

Please add immediately after the title of the above-identified application, as a separate paragraph, the following sentences:

"This application is a division of US patent application Ser. N. 09/214,039 filed on December 28, 1998, which was assigned the serial N. 09/846,362 in its Continued Prosecution Application (CPA) on May 2, 2001. Said application N. 09/214,039 which is a National stage of International application N. PCT/IB97/00887 filed on July 17, 1997, is also a division of US application N. 08/687,315 filed on July 25, 1996."

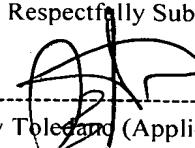
b) **In the claims:**

i) Please rectify the grammatical error found in line 12 of claim 58 by replacing the word "his" (in the term "his top") by the word "its" (so as to obtain the term "its top"). A complete list of the pending claims in present application –including the correction made for said grammatical error in claim 58- is enclosed herewith.

ii) Please note also the amendment made in the list of claims, by adding a new depending claim 77.

c) Prior to examination of the claims, the Examiner is respectfully asked to consider the remarks enclosed herewith.

Respectfully Submitted


Haviv Toledano (Applicant/Inventor)